

### REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1, 3-19 and 21-28 are in the application. Claims 1, 12, 17 and 21 have been amended. No new matter has been added.

The Examiner objected to claims 12 and 21 for typing errors. Applicants have amended claims 12 and 21 correct the errors.

The Examiner rejected claims 1, 3-4, 6-8, 12-13 and 17 under 35 U.S.C. §102(b) as being anticipated by *Conversano et al.* Claim 19 is rejected under 35 U.S.C. §102(b) as being anticipated by *Slatte et al.* Claims 9-11 and 26-27 are rejected as being unpatentable over *Conversano et al.*, in view of *Seo*. Claim 14 is rejected as being unpatentable over *Conversano et al.*, in view of *Giordano et al.* Claims 15-16 and 28 are rejected as being unpatentable over *Conversano et al.*, in view of *Slatte et al.* Claims 18 and 24-25 are rejected as being unpatentable over *Conversano et al.*, in view of *Honda*. Claims 21-22 are rejected as being unpatentable over *Slatte et al.*, in view of *Seo*. Applicants respectfully traverse.

Applicants have amended claim 1 to claim that the screen prevents ambient light or stray light from being incident upon the image fitting surface. Support for this amendment can be found in the specification on page 10, third paragraph. Claim 1 has also been amended to clarify that the image capturing apparatus captures images of portable displays. Support for this amendment can be found throughout the specification, which gives examples of the images captured, and includes such items as tickets (p. 14), labels on bottles (p. 13), cell phones (p. 19), etc. Claim 17 has also been amended to clarify that the positioning apparatus positions the portable object relative to the apparatus.

*Conversano* discloses a steel tip with windows, which allow light to pass through. These windows are disadvantageous and result in poor image capturing. In the present invention, the screen is impervious to light and does not allow ambient light to be incident on the image fitting surface, as can be seen from FIGS. 2 and 3 of the present application. Light coming from this side should be kept at a distance - either via the screen or through a constituent part of the housing acting as a screen. In *Conversano*, the windows are located at precisely this location, which undermines the image capturing ability.

*Conversano* also pertains to a mobile scanning device for scanning stationary objects. In contrast, the present invention as claimed in claim 1 is directed to a stationary device for reading mobile objects. The positioning device of *Conversano* acts to position the scanner on the object. In contrast, the positioning device of claim 17 acts to position the mobile object relative to the apparatus.

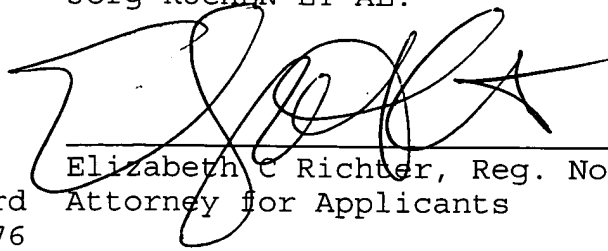
Accordingly, Applicants submit that claims 1 and 3-18 and 24-28, which depend from claim 1, are patentable over the cited references, taken either singly or in combination.

Regarding the rejection of claim 19 as being anticipated by *Slatter*, Applicants respectfully traverse. Claim 19 specifies that the image fitting surface lies between the display and the image fitting surface. This is not taught or suggested by *Slatter*. Accordingly, Applicants submit that claims 19 and 21-22 which depend therefrom, are patentable over the cited references.

Accordingly, Applicants submit that the claims are patentable over the cited references, taken either singly or in combination. Early allowance of the amended claims is

respectfully requested.

Respectfully submitted,  
Jörg KUCHEN ET AL.



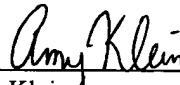
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Enclosure: Petition for a one-month Extension of Time

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 30, 2008.

  
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